



City of Milwaukee

Meeting Minutes

COMMUNITY SERVICE STAFFING TASK FORCE

200 E. Wells Street
Milwaukee, Wisconsin
53202

ALD. TERRY WITKOWSKI, CHAIR

**Deputy City Attorney Linda Burke, Larry Moore, William Gielow, David Feldmeier, David
Heard, Deputy Inspector Anna M. Ruzinski, David Schroeder**

Staff Assistant, Diana Morgan, (414)-286-2231

Fax: 286-3456; E-mail: dmorga@milwaukee.gov

File Specialist, Joanna Polanco, 286-3926; E-mail: jpolan@milwaukee.gov

Friday, April 7, 2006

1:30 PM

Room 301-A, City Hall

Meeting Convened: 1:44 P.M.

*Members Present: Ald. Witkowski, Deputy City Attorney Burke, Mr. Moore, Mr. Heard,
Deputy Inspector Ruzinski and Mr. Schroeder, Mr. Feldmeier.*

Members Excused: Mr. Gielow.

Mr. Feldmeier arrived: 2:03 P.M.

1) Review of the minutes of the March 10, 2006 and March 24, 2006 meeting

*Motion by Deputy Inspector Ruzinski to approve the minutes of the March 10, 2006
meeting. Second by Mr. Moore.*

Prevailed. 7-0.

*Motion by Deputy City Attorney Burke to approve the minutes of the March 24, 2006
meeting. Seconded by Mr. Heard.*

Prevailed. 7-0.

2) Comments from Chairman

*Review of a Broward County report, detailing their CSO program. The report revealed that
over a 3-year period there were a total of 53 injury claims filed, with only one injury
resulting from an interaction with a private citizen. The injury occurred when the CSOs
foot was accidentally run over by a motorist.*

There were no reports of attacks to CSOs by citizens.

*Ald. Witkowski referenced e-mail requests by Mr. Gielow relative to reports from the FBI
National Academy Associate detailing responses relating to on the job injuries to CSOs
by citizens. He also requested members review several e-mail correspondences
submitted by Mr. Gielow.*

*In addition, Mr. Ramion advised members his research revealed that CSO programs in
other cities indicate that the term or title Community Service Officer (i.e. downtown
ambassadors, animal control officers) is used differently in various communities and that
the degree of job related danger that may occur depends on the duties assigned to the*

officers.

3) Reports/Comments from members

CITY ATTORNEY'S OFFICE

Mr. Tom Beamish, City Attorney's Office, addressed questions relative to labor and contractual ramifications concerning Community Service Officers (CSOs).

He advised members that there are two entities involved in the process of creating CSO positions, which are positions filled by civilians who have no law enforcement powers.

According to Mr. Beamish, the Fire and Police Commission has statutory powers to classify positions and the Common Council has the statutory authority to determine the number of positions and the initial salary.

The city has the authority to create positions, however these individuals would be municipal employees, employed under the states labor laws; they may be represented by labor organizations. This may occur by employees themselves petitioning to be represented or by a labor organization seeking to represent the employees in question.

The types of job duties and assignments the task force considers for these positions will be critical in determining the rates of pay based on the duties and responsibilities for the position and to what extent might they as a guide be of the type that some other civilian positions handle and what are the rate of pay for those.

Mr. Beamish referenced a 1990's incident in the police department where the Police Services Specialist was created; there were proceedings for the Wisconsin Employment Relations Commission where one labor organization, a civilian employee bargaining unit representative took the position that they should represent the Police Services Specialist. The MPA took the position that they should represent the employees.

There was a hearing where facts were presented and where it was determined that it was not appropriate for the MPA to represent the Police Services Specialist.

He advised that it was possible that the CSO position may not be represented, but if the employees ultimately are represented, then pay is subject to collective bargaining. The issue would be two fold; if the employees will be represented and what would be the appropriate bargaining unit.

Any determination along the lines of who represents employees generally is resolved through processes involving the state agency, Wisconsin Employment Relations Commission.

Mr. Beamish advised members that he could not currently comment on the levels of pay for CSOs due to the fact that various entities would have input in the overall job responsibilities for this position. He also advised that even though the CSO position would be newly created it appeared that there would be potential overlaps with existing positions currently represented; however the CSO positions still indicates sufficient differences in the possible job responsibilities.

Further, Mr. Beamish stated that he did not believe that there would be an automatic claim by one union or another that would have to be acknowledged, and that one labor organization or another would automatically represent CSOs. He also advised that his

assumption is that there would be more than one labor organization seeking to represent CSOs, but this is fact specific, intensive inquiry.

He continued that based upon the current dialogue of the task force that the CSOs would not have the arrest powers of law enforcement officers, which would be a distinguishing factor. On the other hand, there are aspects that indicate that they may be assigned to a vehicle where they would be in the community looking for problems that would be communicated to other divisions.

Mr. Beamish advised that relative to labor issues, policy makers have the authority to determine whether it is appropriate to create a new position and what type of job responsibilities they want these employees to do, in addition to labor representation. He also stated that even if there were not an initial determination of labor representation at the creation of the positions, the law does permit employees with the right to petition to be represented on their own or that existing labor organizations can seek to represent the employees.

Further, there is a mechanism for the state agency to conduct a hearing to tell all parties, in light of facts, if these individuals are going to be represented and who is going to represent them. Once they are represented, there would also be a negotiation process that would involve compensation.

Initially, the compensation may be determined by the city, the guide is through the development of the job description, what exactly are they doing in light of the classification of all city employees and what is appropriate. Mr. Beamish advised that this would be a complicated process for DER, however once pay is established, if represented, pay would be subject to collective bargaining.

Deputy City Attorney Burke addressed questions relative to the designation of CSOs as Traffic Officers.

She began by defining a Traffic Officer as an officer of the city, authorized by law to direct or regulate traffic or to make arrest for traffic violations.

The challenges you face when you create a new city officer you are now giving that officer all kinds of benefits, rights, obligations that traditional officers have, which may not be your intention.

She advised that to authorize traffic regulation to CSOs would require the creation of a new classification of officers of the city to include this new non-sworn classification. There is the possibility of all kinds of ramifications, because there are all kinds of statutory and ordinance provision that deal with the responsibilities, the pay, the pension etc. of city officers.

Further it would require an overall study of the ripple effect of creating a new classification of city officers.

Mr. Ramion questioned whether the designation of an officer is an all or nothing proposition or whether there is a provision that indicates that certain duties and responsibilities can be withheld?

Deputy City Attorney Burke advised the task force of the following relative to this matter:

No new officers have been created per the City Charter since 1949. To initiate this

process, all of the provisions must be identified in the statutes and ordinances, simply because there are different guidelines for regular employees and officers.

Ald. Witkowski asked how the task force could obtain information that would identify the ripple effect of changing the current ordinances to give CSOs the authority to serve as traffic officers?

According to Deputy City Attorney Burke, a city officer is really a certain status position, there should be very careful consideration when creating a position that would identify an employee as an officer of the city.

The Legislative Reference Bureau could do research to identify all of the statutes and ordinances which relate to city officers.

POLICE DEPARTMENT

Deputy Inspector Ruzinski reported communication with Chief Hegerty regarding the use of civilian employees as CSOs. After review of list of possible job responsibilities developed by the task force, D. I. Ruzinski informed members that the Chief identified the following job responsibilities where CSOs might initially be utilized.

-Assist Community Liaison Officers with nuisance properties.

--Free-up CLOs so that they may interact with the community relative to community meetings and block watch meetings.

-Work inside station to address walk-in complaints.

-Respond to and file missing returns,

-Traffic Controls

--Parades, walks, runs, fire scenes.

--Investigate minor accidents

-- Minor Parking troubles

--Standby for tows

-Mail runs

Infrastructure cost associated with the hire of CSOs:

-Estimated cost of Crown Victoria vehicles, (\$38,690 per vehicle), with dual use for regular officers.

-Estimated uniform and equipment cost (\$1,069)

--Handitalkie (\$3,618).

Deputy Inspector Ruzinski also advised that CSOs could not respond to any emergency calls.

DEPARTMENT OF EMPLOYEE RELATIONS

Laura Sutherland, Department of Employee Relations provided a draft job description for the CSO position for review by members. The following changes were recommended:

-Review of item 8.

12 (A). *Under % of Time (area)*

--50 *(Delete respond to emergency police calls)*

--30 *(Delete quell disturbances)*

--10 *(Delete issues traffic violators with uniform traffic citations, hurricanes and add refer to officer)*

--5 *(Add walk-in complaints)*

12 (B). *Delete other law enforcement duties and add other duties as assigned.*

12 (C). *Delete Police Sergeant, and add Supervisor.*

12 (F).

- *Add general city testing and the ability to learn.*

-ix. *Add chemical agents.*

-Delete xiii, xiv.

-xvii. *Add ability to wear body armor, duty belt and carry chemical agents.*

Add conditions CSO may be required to work in such as weather, exposure to chemicals or smells etc.

BUDGET OFFICE

Mr. Schroeder, DOA provided data based upon preliminary salary ranges to determine costs associated with the creation of the CSO positions. He advised members that in order for him to provide a full financial scope, detailed information relevant to the following areas would have to be determined:

-Level of training

-Recruitment cost

-Advertising cost

-Equipment cost

-Training Academy Cost

-Cost of scheduling class

-Coordination of training with sworn officer training

-Union Representation

-Number of positions

-Educational pay

-Overtime pay

Deputy Inspector Ruzinski informed members that she would talk with the training academy regarding the Chief's vision of job responsibilities for CSOs to determine the cost involved with training CSOs.

- 4) Review of outline and final recommendations

LEGISLATIVE REFERENCE BUREAU

Mr. Ramion provided members with draft copies of the final report and recommendations.

- 5) Future direction of task force

-Reports from members.

-Review and discussion of draft copy of the final report and recommendations.

Next meeting date and time

Friday, April 28, 2006, 1:30 P.M.

Meeting Adjourned: 3:35 P.M.

*Diana Morgan
Staff Assistant*